

August 6, 2003 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

03AN0309

Patricia Bucy

Matoaca Magisterial District
20918 and 21000 Second Avenue

REQUEST: An eleven (11) foot Variance to the thirty (30) foot front yard setback requirement for an existing dwelling and addition.

RECOMMENDATION

Recommend approval of this Variance for the following reasons:

- A. Variance will not impair the character of this residential area.
- B. The granting of this Variance may not create any adverse impact on the subject property or the area in general.

CONDITION

This Variance shall be for the existing dwelling and the proposed addition as depicted on the plat attached to staff's report.

GENERAL INFORMATION

Location:

Property is known as 20918 and 21000 Second Avenue. Tax IDs 795-611-9495 and 796-611-0394 (Sheet 45).

Existing Zoning:

R-7

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Size:

.546 acre

Existing Land Use:

Residential

Adjacent Zoning and Land Use:

North - R-7; Residential
South - R-7; Residential
East - R-7; Residential
West - R-7; Residential

Utilities:

Public water and sewer

General Plan:

(Ettrick Village Plan)

Residential
(1.51 to 4.0 units per acre)

DISCUSSION

The applicant is proposing to construct an addition to the north side of the existing dwelling which is located 20.48 feet from the front property line. The addition will be located nineteen (19) feet from the front property line. The Zoning Ordinance requires a thirty (30) foot front yard setback from the front property line. Therefore, the applicant requests an eleven (11) foot Variance (see attached site plan).

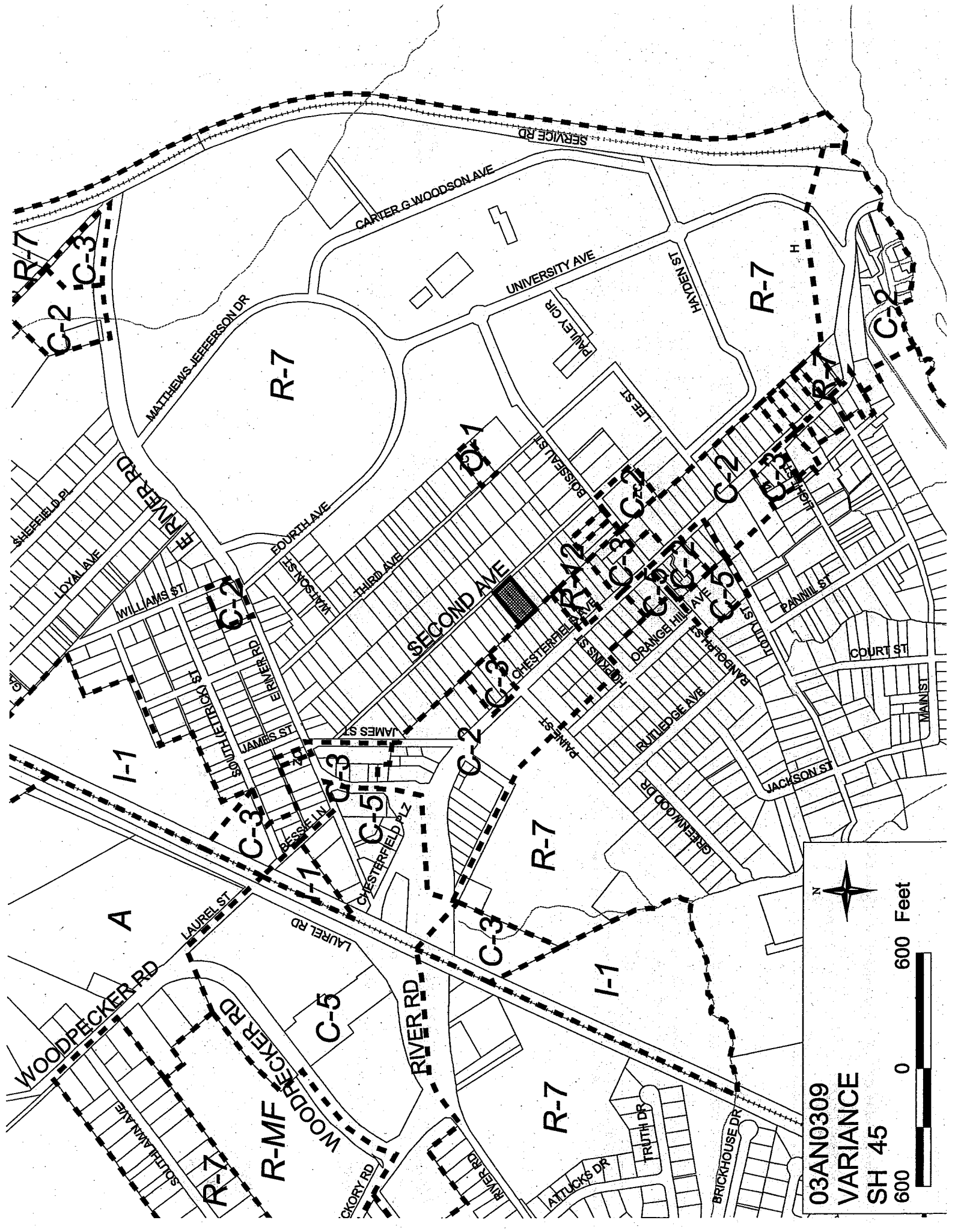
The applicant provides the following justification in support of this request:

The house was built in 1917 prior to setback requirements. The house is legally non-conforming. I cannot get a building permit for an addition unless a Variance is approved. I need more bedrooms, my child's room is six (6) foot by nine (9) foot. I use the front room as a TV/bedroom. I wish to keep the addition in line with the house because of the well and pecan tree and there is no other place to build. I can't go to the back, it has garages, trees and driveway. I can't go on the other side, it's only the width of the driveway. I have a lot of furniture in my sheds I will lose due to weather, plus my child's toys are packed up.

Staff notes the existing dwelling has been on-site for approximately eighty-six (86) years and enjoys a non-conformity to the current setbacks required in today's Zoning Ordinance. Adding an addition

constitutes an enlargement of a non-conforming use. When a non-conforming use is enlarged, it loses its non-conformity. Therefore, in order to add the addition as requested, this Variance is necessary.

Staff has reviewed the attached site plan and application. Staff believes that this Variance will not reduce or impair the value of the dwellings or property in the area. Staff also notes the dwelling has been on the site for approximately eighty-six (86) years and has not impaired the character of this residential area. Staff notes that the proposed addition will not encroach any closer than the dwelling currently does. Staff believes this proposal will be an enhancement rather than a detriment to the property and area in general. Therefore, staff recommends approval of this request subject to the aforementioned condition.

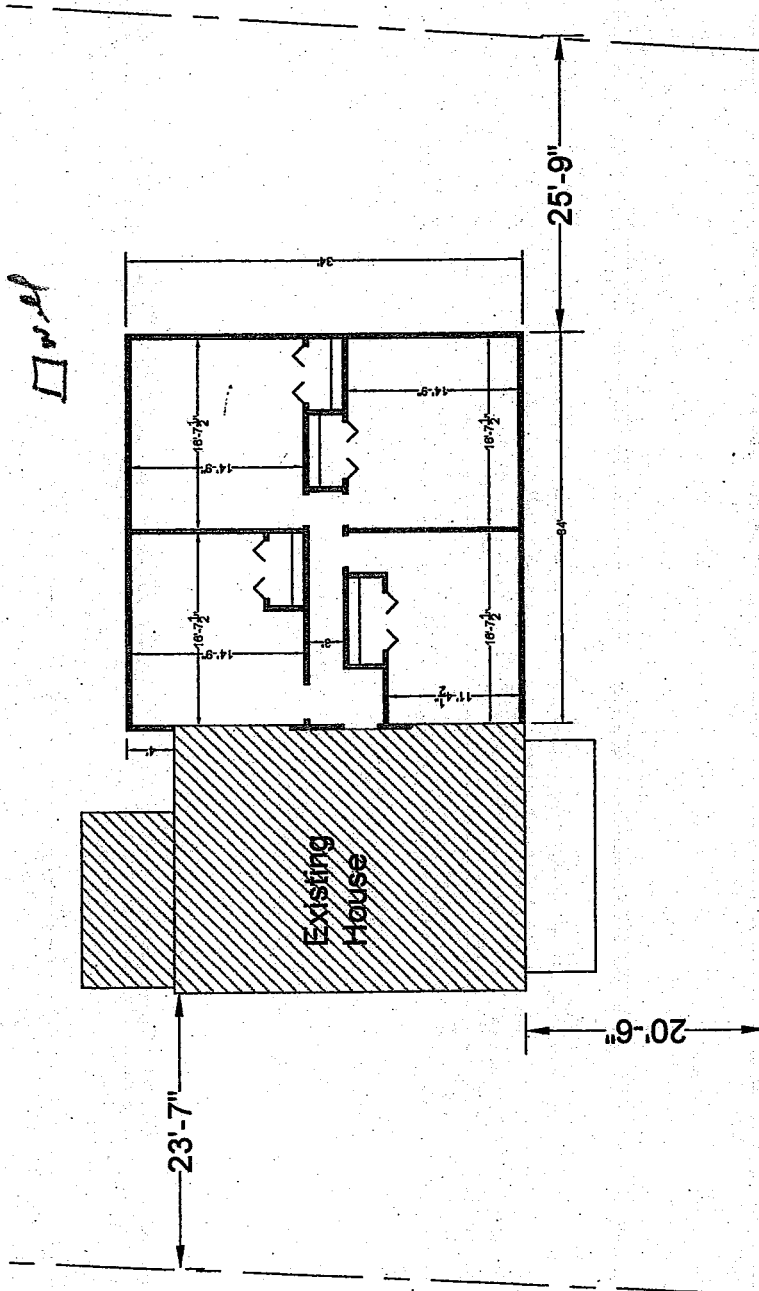
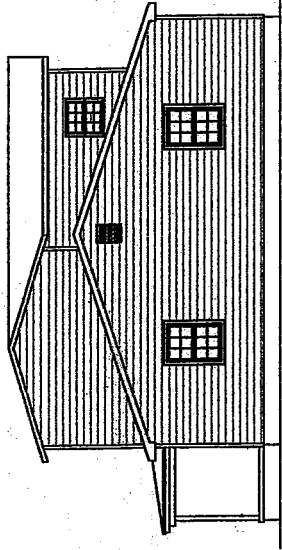
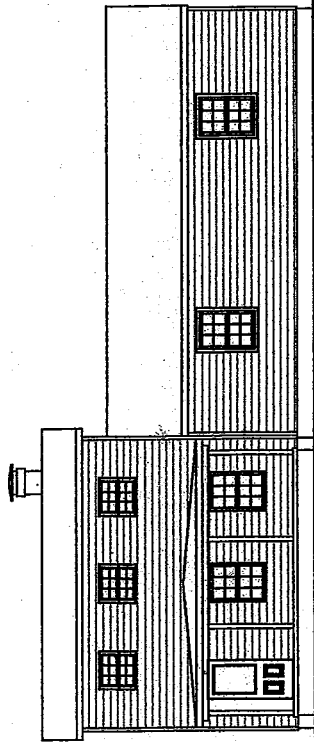


600 Feet

0

600

03AN0309
VARIANCE
SH 45



21000 Second Avenue